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Summary record of the 47th meeting
Held at Headquarters, New York, on Tuesday, 9 March 1999, at 10 a.m.

Chairman: Mr. Abelian ..... (Armenia)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10 a.m.

The meeting was suspended at 10 a.m. and resumed at 10.05 a.m.

Tribute to the memory of Carlos Vegega, Vice-Chairman of the International Civil Service Commission

1. *At the invitation of the Chairman, the members of the Committee observed a minute of silence.*

Agenda item 112: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/52/887 and A/52/1010; A/53/271 and Corr.1 and Add.1, A/53/692 and A/53/843; A/C.5/52/46)

2. **Mr. Saha** (India) said that, while the Procurement Division Web site homepage appeared to be functional, no new invitations to bid had been posted. He asked whether no procurements were being made at the current time, or whether the absence of postings was due to technical problems.

3. **Mr. Orlov** (Russian Federation) said that his delegation had noted with regret the delay in issuing the report of the Office of Internal Oversight Services on the review of procurement-related arbitration cases (A/53/843). Furthermore, the report failed to answer many of the questions raised by Member States. His delegation would like to have known how the payment of arbitration awards and settlements was financed and what was the impact on the budget; how lawyers were selected to act on behalf of the United Nations in arbitration cases and how they were paid; who took decisions regarding the payment of settlements in cases which did not reach arbitration; and what disciplinary action was taken against the Secretariat officials found responsible.

4. The report raised a number of issues which gave cause for concern. First, the overall level of claims and the sums paid out in respect of such claims were unacceptably high. Second, vital procurement functions were being entrusted to persons who were not accountable for their actions before the Organization, a problem of which Member States were only now being informed. Third, although the issue of accounting was not dealt with, it appeared that multi-million dollar sums paid out as a result of arbitral proceedings were being described in reports on peacekeeping operations expenditures as payments for the goods and services concerned. If that was the case, the practice must cease and accounting with respect to arbitration cases must be more transparent.

5. A local newspaper had recently reported that a contractor had received some $6.9 million in compensation from the United Nations. The same contractor had made a second claim for an amount exceeding $40 million. In both cases, punitive damages had also been sought. His delegation would like to know whether the sum received by the contractor represented an arbitration award or a settlement, and why there was no mention of it in the report before the Committee. It also wondered what was the practice of the United Nations with respect to punitive damages.

6. **Mr. Niwa** (Assistant Secretary-General for Central Support Services) said that, as far as he was aware, the major procurement opportunities were posted on the Procurement Division Web site homepage, although the list was not exhaustive, and he recognized that the Web site needed constant attention and improvement. He would deal with the remaining points raised by members of the Committee during the informal consultations.

Other Matters

7. **Mr. Niwa** (Assistant Secretary-General for Central Support Services) said that he would first seek clarification from the Costa Rican and Cuban delegations regarding the exact nature of their concerns with respect to the contract for the escalators before responding to the points they had raised. As to the questions on security, he wished to emphasize that the Security and Safety Service must respond to threats as they arose, which sometimes required the redeployment of officers. His Office had already reviewed the security arrangements for the North Lounge and had concluded that the previous level of cover should be reinstated. The number of officers assigned to the President of the General Assembly varied from year to year depending on the security risks faced by the Organization. There had been no departure from established practice with respect to the security arrangements for the current President. His staff had deemed those arrangements to be adequate, and he trusted their professional judgement.

8. With regard to the canine unit, he said that suspicious packages had previously been dealt with by the bomb squad of the host city, a procedure requiring, on average, between one and two hours. It had been decided in September 1998, in the light of the increasing number of such packages and in order to minimize the disruption to the work of the Secretariat, to employ a sniffer dog on a trial basis. His Office saw the canine unit as a means of enhancing the level

of protection provided and was examining the possibility of making the arrangement permanent.

9. As to the difficulties experienced by the Permanent Representative of Costa Rica during the previous week in gaining access to an event in the Trusteeship Council Chamber, he had been informed that the presence at that event of the First Lady of the United States and the Secretary-General had created overwhelming interest, and that it had been necessary, for safety reasons, to restrict access to the Chamber. The problem had arisen not because officers lacked training, but because of circumstances beyond their control. His Office would consider the possibility of reserving seats for the heads of Permanent Missions at such events in future.

Organization of work

10. **The Chairman** drew attention to a document circulated informally which contained the changes made to the proposed programme of work (A/C.5/53/L.38) on the basis of the comments at the 46th meeting. The revised programme of work was not binding and further amendments would be made as necessary. He noted that evening meetings, beginning at 6.30 p.m. and ending at 9.30 p.m., would be scheduled as required from the second week of the resumed session, on the basis of consultations with the coordinators of the various agenda items.

11. **Mr. Kabir** (Bangladesh) said that, while the informal consultations of the previous day had been helpful, the positions of the various delegations on the Development Account remained far apart, and he had therefore requested that the informal consultations scheduled for the afternoon should be postponed in order to allow additional time for exchanges of views. He was surprised that the secretariat had not taken account of that suggestion in preparing the revised programme of work.

12. **The Chairman** said that such suggestions could be reflected only if the Bureau received a formal request from the coordinator of the agenda item. Nevertheless, if there were no objections, the informal consultations would be cancelled.

13. *It was so decided.*

14. **Mr. Odaga Jalomayo** (Uganda) said that, while he supported the holding of evening meetings, he took it that there was no intention to schedule night meetings, which presented practical difficulties for small delegations.

15. With regard to the paper which had been circulated informally showing the utilization of conference services by the Committee during the fiftieth to fifty-third sessions of the General Assembly, he said that, unfortunately, it gave no indication of the Committee's output. More information was needed. He would like to know, for example, how many agenda items had been allocated to the Committee during each session, and what percentage of those items had been taken up and concluded or deferred until the resumed session. Such data would enable the Committee to judge whether the conference services provided had been used constructively.

16. **The Chairman** said that the information in the document had been provided for statistical purposes only and was not intended as a basis for qualitative appraisal of the Committee's work. He would, however, discuss with the Bureau and the secretariat the possibility of obtaining the data requested.

17. **Ms. Incera** (Costa Rica) said that a prior commitment had prevented her from being present during the replies by the Assistant Secretary-General for Central Support Services to the concerns she had raised with respect to security. She therefore reserved the right to take the floor on the matter at a subsequent meeting.

The meeting rose at 10.50 a.m.